

United States Senate

WASHINGTON, DC 20510

May 20, 2009

The Honorable Barbara Mikulski
Chairman
Subcommittee on Commerce, Justice
Science, and Related Agencies
Senate Committee on Appropriations
Washington, D.C. 20510

The Honorable Richard Shelby
Ranking Member
Subcommittee on Commerce, Justice
Science, and Related Agencies
Senate Committee on Appropriations
Washington, D.C. 20510

Dear Chairman Mikulski and Ranking Member Shelby:

We write to urge the Commerce, Justice, Science, and Related Agencies Appropriations subcommittee to provide the full authorized amount of \$25 million in funding for the John R. Justice Prosecutors and Defenders Incentive Act loan repayment program in Fiscal Year 2010.

Congress enacted the John R. Justice Act in August 2008 to address the serious problems prosecutor and public defender offices face in recruiting and retaining qualified attorneys. In a recent DOJ survey, over a third of prosecutors' offices nationwide reported problems with keeping attorneys on staff, and over 60 percent of prosecutors' offices that serve populations of 250,000 or more reported problems with attorney retention. Another recent survey found that over 60 percent of state and local public defender offices reported difficulty in attorney recruitment and retention.

Student loan debt is a primary reason prosecutor and defender offices are struggling to keep attorneys on staff. Over 80 percent of law students take out loans to finance their legal education. The average educational debt for law school graduates in the class of 2007 was almost \$88,000 for private school graduates and over \$57,000 for public school graduates, not counting undergraduate debt. A recent national survey found that 66 percent of law students stated that student loan debt prevented them from even considering a public interest or government job. And, of those law graduates who initially accept criminal justice jobs, many leave after a few years because they cannot pay off their student loans on a prosecutor or public defender salary.

The John R. Justice Act created a targeted student loan repayment assistance program that will bolster the ranks of attorneys in the criminal justice system. Under the program, attorneys can receive student loan debt repayments of up to \$10,000 per year if they agree to remain employed for at least three years as state or local criminal prosecutors, or as state, local, or federal public defenders. Attorneys are able to commit to additional periods of service after the required three-year minimum period, with a maximum repayment amount over time of \$60,000.

The John R. Justice Act is modeled on existing loan repayment programs that cover federal executive branch attorneys and federal prosecutors. These programs have demonstrated great success as an attorney recruitment and retention tool. Based on the experience of these federal programs, it is estimated that \$25 million in John R. Justice Act funding could provide loan repayment assistance benefits for roughly 4,700 prosecutors and defenders nationwide.

The John R. Justice program will strengthen our criminal justice system by keeping talented attorneys in our prosecutor and public defender offices. We urge your support for \$25 million in funding for the program. Thank you for your consideration of this request.

Sincerely,

Jim Aubin

Harry Reid

Patricia Cox

Tom Clapper

Robert M. Merendy

Allen Fied

My Baines

Shirley

Chuck Sch

Herb Kohl

Amy Klobuchar

Frank R. Lautenberg

Janet K. Skakel

Kirsten E. Tillibrand

Tom Kampen

Roland W. Bunn

Edward M. Kennedy

Carl Levin

John F. Kerry ✓

Jeffrey A. Merkley

Erin Boyle

Mark Begich

Barack Sanders

Don Wyden

Blanche L. Lincoln

Maria Cantwell

Bill Nelson

Cory McCasill

Joe Test

Ben Cardin

Mark F. B. A

Barbara Boxer